PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Eiji TSURU, et al.

Appln. No.: 10/526,898

Confirmation No.: 7841

Filed: March 7, 2005

Docket No: Q86527

Group Art Unit: 1626

Examiner: KOSACK, JOSEPH R.

For: CRYSTAL FOR ORAL SOLID DRUG AND ORAL SOLID DRUG FOR DYSURIA TREATMENT CONTAINING THE SAME

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with a copy of the corresponding Communication from a Foreign Patent Office, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action

on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

JP 7-330,726A cited in the Korean Patent Office is of record herein.

As can be seen from the COMMUNICATION issued by the European Patent Office, Broten et al was cited as technological background only.

And as can be seen from the English translation of the Office Action issued by the Korean Patent Office, the Examiner cited Muramatsu et al and stated that "JP 2000-247998 A (... hereinafter referred to as 'cited reference 2') describes that the compound of the present invention (KMD-3213) can be used as an agent for oral administration (see paragraph <0026.)".

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Peter D. Olexy/

Peter D. Olexy
Registration No. 24,513

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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